

1631

PATENT

Attorney Docket No.: A-63761-5/RFT/RMS/RMK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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#12

Plunkett

4/23/02

In re application of:

KAYYEM, et al.

Serial No. 09/557,577

Filed: April 21, 2000

For: ELECTRODES LINKED VIA  
CONDUCTIVE OLIGOMERS TO  
NUCLEIC ACIDS

Examiner: MARSCHEL, Ardian H.

Group Art Unit: 1631

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner of Patents, U.S. Patent and Trademark Office, BOX SEQUENCE, P.O. Box 2327, Arlington, VA 22202 on April 05, 2002.

Signed:

Christine P. Peters

STATEMENT RE SEQUENCE LISTING

Assistant Commissioner for Patents  
U.S. Patent and Trademark Office  
BOX SEQUENCE, P.O. Box 2327  
Arlington, VA 22202

Sir:

This Statement is in response to the Office communication dated March 11, 2002, and the attached CRF Problem Report. A copy of the notice and attached report is enclosed. This response is being mailed within one month from the date of the notice, making it a timely response. Applicant believes no fee to be due. If this belief is in error, however, the Commissioner is authorized to charge any additional fees including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-63761-5/RFT/RMS/RMK).

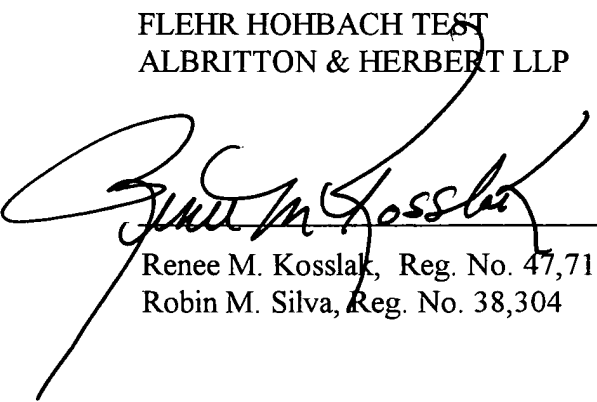
Serial No.: 09/557,577  
Filed: April 21, 2000

This statement is made in adherence with 37 C.F.R. § 1.821-1.825. This statement is accompanied by a floppy disk containing the above named sequence, SEQUENCE ID NUMBERS 1-3 in computer readable form. The computer readable sequence listing was prepared through use of the software program "PatentIn" provided by the PTO. The information contained in the enclosed computer readable disk is identical to that of the paper copy which was filed by the Applicant on November 02, 2001, and contains no new matter. Applicant submits that this statement, the accompanying computer readable sequence listing, the previously filed Preliminary Amendment and the previously filed paper copy of the sequence listing serve to place this application in a condition of adherence to the rules 37 C.F.R. § 1.821-1.825. Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

Dated: 4/4/02  
Four Embarcadero Center  
Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989



Renee M. Kossak, Reg. No. 47,717 for  
Robin M. Silva, Reg. No. 38,304



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,577	04/21/2000	Jon Faiz Kayyem	A-63761-5/RFT/RMS/RMK	6551

7590

03/11/2002

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EXAMINER

MARSCHEL, ARDIN H

ART UNIT

PAPER NUMBER

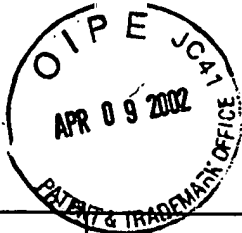
1631

DATE MAILED: 03/11/2002

10

Please find below and/or attached an Office communication concerning this application or proceeding.

File A-63761-5 Atty RFT/RMS/RMK  
Due Date 4/11/2002  
Type Sequence Logo Refs —



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DEAFCE-1894

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

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EXAMINER	
ART UNIT	PAPER NUMBER
	10

DATE MAILED:

**Please find below a communication from the EXAMINER in charge of this application**

Commissioner of Patents

The communication, filed on 1/2/02, is non-responsive to the prior Office action, mailed 6/5/01, because of the following reason:

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR § 1.821 through 1.825 because the specification and Figures contain sequences which falls under these rules and the computer readable form sequence listing, filed 1/2/02, cannot be processed due to the problem as listed on the attached CRF Problem Report. A new Computer readable form sequence listing and statements under 37 CFR 1.821(f) and (g) are hereby required. Failure to respond to this requirement may result in abandonment of the instant application.

Since the response appears to be *bona fide*, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is required to complete the response within a time limit of one month from the date of this letter or as extended as follows. AN EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 C.F.R. § 1.136(a) OR (b) UP TO A MAXIMUM OF SIX MONTHS.

Papers related to this application may be submitted to Technical Center 1600 by facsimile transmission. Papers should be faxed to Technical Center 1600 via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989).

The CM1 Fax Center number is either (703)305-3014 or (703)308-4242.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ardin Marschel, Ph.D., whose telephone number is (703)308-3894. The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward, Ph.D., can be reached at (703)308-4028.

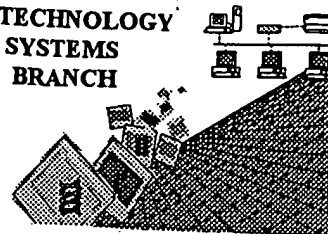
Any inquiry of a general nature or relating to the status of this application should be directed to Patent Analyst, Tina Plunkett, whose telephone number is (703)305-3524 or to the Technical Center receptionist whose telephone number is (703)308-0196.

Attachment: CRF Problem Report  
3/9/02

*Ardin H. Marschel*  
ARDIN H. MARSCHEL  
PRIMARY EXAMINER

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## CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/557,577  
Filing Date: 4/21/2000  
Date Processed by STIC: 1/16/2002

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STIC Contact: Mark Spencer, 703-308-4212

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### Nature of Problem:

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)  
☐ Blank (no files on CRF) (see attached)  
☐ Empty file (filename present, but no bytes in file) (see attached)  
☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.  
☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.  
☐ Did not contain a Sequence Listing. (see attached sample)  
☐ Other: \_\_\_\_\_

**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom, including:

1. EFS-Bio (<http://www.uspto.gov/efb/efs/downloads/documents.htm>), EFS Submission

User Manual - ePAVE)

2. U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202

3. Hand Carry directly to:

U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name,  
Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202

Or

U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two,  
2011 South Clark Place, Arlington, VA 22202

4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office,  
Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202